

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 8/26/2014	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance from Brothers Investment Company; Robert Hayashi Family Trust; and Valley Investment Company for the Branch Mill Road Bridge Replacement Project, Arroyo Grande. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ul style="list-style-type: none"> A. Approve and execute the Brothers Investment Company Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-06 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and B. Approve and execute the Robert Hayashi Family Trust Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-05 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and C. Approve and execute the Valley Investment Company Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-04 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and D. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transactions associated with these real property interests. 			
(6) FUNDING SOURCE(S) Federal Highway Bridge Program, Federal Toll Credits, Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$44,440.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 07/08/14, #35	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 14AUG26-C-3

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Interim Director of Public Works

DATE: 8/26/2014

SUBJECT: Submittal of right of way documents accepting conveyance from Brothers Investment Company; Robert Hayashi Family Trust; and Valley Investment Company for the Branch Mill Road Bridge Replacement Project, Arroyo Grande. District 4.

RECOMMENDATION

It is recommended that the Board:

- A. Approve and execute the Brothers Investment Company Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-06 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
- B. Approve and execute the Robert Hayashi Family Trust Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-05 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
- C. Approve and execute the Valley Investment Company Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 13-04 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
- D. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transactions associated with these real property interests.

DISCUSSION

The proposed project will replace the bridge on Branch Mill Road over Tar Spring Creek, approximately 1,200 feet southwest of Huasna Road, east of the City of Arroyo Grande, in the Arroyo Grande Valley. The existing steel truss bridge has experienced on-going erosion near the foundations and has required extensive maintenance of the steel framework. The bridge has been determined to be structurally deficient by the State of California Department of Transportation (Caltrans), making it eligible for funding authorized by the Federal Highway Administration (FHWA) for local bridge replacement.

The project will construct a new 105-foot long two-lane concrete bridge clear spanning the creek. The bridge will be constructed on the existing alignment using precast concrete girders to reduce overall impacts and need for right of way. A temporary single-lane bridge will be placed downstream of the site to allow for farm equipment and contractor access across the creek during construction.

On October 8, 2013, your Board adopted Resolution No. 2013-244 approving the Branch Mill Road Bridge Replacement Project, adopting the mitigated negative declaration, and directed staff to proceed with right-of-way processes.

The attached Right of Way Agreements and Public Road and Slope Easement Deeds will provide the County and its contractors with all necessary real property interests required to construct the proposed bridge replacement project. However, an additional acquisition will need to be processed at a later date to provide area for habitat mitigation efforts.

These acquisitions are based upon fair market value determined by staff appraisals. The approval and execution of the Right of Way Agreements and the acceptance of the related Public Road and Slope Easement Deeds, by execution of the attached Certificates of Acceptance, will allow the Department to proceed with processing and payment pursuant to the Agreements.

Project construction is expected to begin in the spring of 2015.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached documents as to legal form and effect.

Caltrans Office of Local Assistance oversees funding by agreement with FHWA to utilize funds under the Federal Highway Bridge Program.

The County is working to secure a Streambed Alteration Agreement from the California Department of Fish and Wildlife, Section 404 Authorization from the U.S. Army Corps of Engineers, and Section 401 Certification from the Regional Water Quality Control Board prior to the commencement of work.

FINANCIAL CONSIDERATIONS

The Right of Way Agreements provide for the following compensation:

Brothers Investment Company	(Parcel No. 13-06)	\$37,000.00
Robert Hayashi Family Trust	(Parcel No. 13-05)	\$ 6,800.00
Valley Investment Company	(Parcel No. 13-04)	\$ 640.00
Total		<u>\$44,440.00</u>

This project is a multi-year project budgeted in Road Fund for FY 2014-15 WBS 300385 in the amount of \$3,552,216. The project will be funded from Federal Highway Bridge Replacement Program, Federal Toll Credit Program and the Road Fund.

RESULTS

Approval of the recommended actions will result in the appropriation of property rights required for this budgeted project. Completion of the project will replace the structurally deficient bridge on Branch Mill Road, thereby contributing to a safe and prosperous community.

File: WBS 300385.05 (Branch Mill Road at Tar Spring Creek Bridge Replacement Project)

Reference: 14AUG26-C-3

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ATTACHMENTS

1. Vicinity Map
2. Right of Way Agreement, Parcel No. 13-06, Public Road and Slope Easement Deed and Certificate of Acceptance, Parcel No. 13-06
3. Right of Way Agreement, Parcel No. 13-05, Public Road and Slope Easement Deed and Certificate of Acceptance, Parcel No. 13-05
4. Right of Way Agreement, Parcel No. 13-04, Public Road and Slope Easement Deed and Certificate of Acceptance, Parcel No. 13-04